

REMARKS

Reconsideration is respectfully requested in view of the above amendments and following remarks. The specification is amended to address formal issues on word limitations in the abstract. Claim 6 is amended of which subject matter is supported in originally presented claim 9. Accordingly, claim 9 is canceled without prejudice or disclaimer. No new matter has been added. Claims 1-8 are pending. Claims 4-5 are withdrawn from consideration as being directed to non-elected claims.

The abstract of the specification is objected to for exceeding the 150 word length. Applicants have amended the abstract by reducing the word limit to be within the formal requirements. Thus, Applicants respectfully assert that the abstract is in proper form.

Withdrawal of the objection is respectfully requested.

Claims 1-3 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (U.S. Patent No. 6,470,770) in view of Kobayashi et al. (U.S. Patent No. 6,857,494) Applicants respectfully traverse this rejection to the extent it is maintained.

Claims 1 and 6 both recite, among other features, a power transmission apparatus where the starting clutch is the torque converter. That is, the starting clutch is combined with the torque converter. This feature provides advantages where the driving power upon low speed rotation of the engine whereupon the torque generated by the engine is low can be compensated by a torque amplification action of the torque converter. Whereby, the ratio of the hydrostatic continuously variable transmission need not be changed frequently, and an engine stall upon low speed rotation is substantially reduced and further stabilization of the vehicle can be realized. Accordingly, the claimed invention is well-suited for vehicles, and particularly off-road vehicles which run on irregular ground at low engine speed. (Page 21, lines 9-22.)

Neither Ito et al. nor Kobayashi et al. teach or suggest the features required by claims 1 and 6. Particularly, the cited references do not disclose that a starting clutch is the torque converter or torque converter means. In fact, Ito et al. merely mentions that its starting clutch is a centrifugal clutch and not a torque converter. (Col. 4, lines 16-20.) For at least these reasons, Ito et al. does not disclose the features of claims 1 or 6.

Kobayashi et al. does not provide what is missing from Ito et al. Kobayashi et al. provides that rear-wheels 4 and 5 are driven by a torque converter 8. (Col. 6, lines 57-

61.) However, the cited reference does not teach that the starting clutch is the torque converter. In fact, Kobayashi et al. discusses a speed switching clutch mechanism that does not transmit power to the rear-wheels 4 and 5. (Col. 9, lines 53-60.) Thus, Kobayashi et al. fails to remedy the deficiencies of Ito et al.

Moreover, there is no suggestion or motivation to combine the teaching references in leading to the features of the claimed invention or any advantages enjoyed thereby. Neither Ito et al. nor Kobayashi et al. provide a suggestion or motivation to employ a starting clutch that is a torque converter. Even if Ito et al. and Kobayashi et al. could be combined, which Applicants do not concede, the cited references fail to teach the required features of the claimed invention. Accordingly, the cited references do not teach or suggest the features of either claim 1 or claim 6.

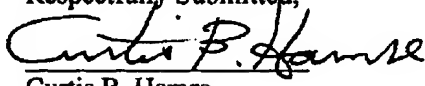
Therefore, Applicants respectfully submit that claims 1 and 6 are patentable over Ito et al. and Kobayashi et al. either alone or in combination. Furthermore, claims 2-3 and 7-8 respectively depend upon claims 1 and 6. Thus, these claims are patentable over the references cited for at least the same reasons with respect to claim 1, and need not be separately distinguished. Applicants, however, reserve the right to submit additional arguments as to any of claims 2-3 and 7-8 at a later date.

Favorable reconsideration and withdrawal of the rejection are respectfully requested.

In view of the above, Applicants' believe that the pending claims are allowable. Favorable reconsideration in the form of a notice of allowance is requested. Any questions or concerns regarding this communication can be directed to the undersigned attorney listed below.

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Respectfully Submitted,



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